Case 5:23-cv-00913-J Document 14-23 Filed 12/29/23 Page 1 of 2



IN COURT OF CRIMINAL APPEALS STATE OF OKLAHOMA

JUL 25 2023



## IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA

JOHN D. HADDEN CLERK

THE CLERK SHALL ENTER THE FOLLOWING ORDERS OF THE COURT:

1 RE-2023-341
Okmulgee County
Case No. CM-2017-450
Honorable Deborah Reheard
Special Judge

MEGAN LEIGHANN SANDERS v. THE STATE OF OKLAHOMA

## ORDER DISMISSING APPEAL

Appellant's Petition in Error was due on or before July 5, 2023, but was not timely filed. Pursuant to this Court's Rule 3.1(C), Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023), the filing of the Petition in Error is jurisdictional and failure to timely file constitutes waiver of the right to appeal. As the Petition in Error was not timely filed, the above-styled appeal is **DISMISSED.** If Petitioner feels she has been denied an appeal through no fault of her own, she may seek the appropriate relief with the District Court. See Rule 2.1(E)(2), Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023). Issuance of this order concludes proceedings before this Court.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

2 MA-2023-559
Rogers County
Case Nos. CF-2009-465,
CF-2009-483, CF-2010-31,
CF-2010-31 and
CF-2019-524
Honorable Stephen R. Pazzo
District Judge

JOHNNY VAN FERRELL, JR. v. THE STATE OF OKLAHOMA

## ORDER DECLINING JURISDICTION

Rule 10.3, Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on

**EXHIBIT 23** 

Order 07-10-23

the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

3 PC-2023-581
Beckham County
Case No. CF-2015-188
Honorable Michelle Kirby
Roper
Associate District Judge

KENNETH H. TIBBETTS v. THE STATE OF OKLAHOMA

## ORDER DECLINING JURISDICTION

Petitioner's request for post-conviction relief was denied by the District Court in an order filed March 29, 2023. Petitioner's Petition in Error should have been filed with this Court on or before May 30, 2023, but was not filed until July 12, 2023. Petitioner failed to timely file the Petition in Error with the Clerk of this Court within sixty (60) days from the filing date of the District Court's final order. See Rule 5.2(C)(2), Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023). The Court **DECLINES** jurisdiction and **DISMISSES** this matter. If Petitioner feels he has been denied a post-conviction appeal through no fault of his own, he may seek the appropriate relief with the District Court. See Rule 2.1(E)(1), Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023).

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

IT IS SO ORDERED.

Clerk

WITNESS MY HAND ANI	THE SEAL OF THIS COURT this _25
day of July, 2023.	Scott Krulone
ATTEST: D. Hadden	SCOTT ROWLAND, Presiding Judge

2